

REMARKS

Rejections

Rejections under 35 U.S.C. § 112, first paragraph

Claims 1-108

Claims 1-108 stand rejected under the first paragraph of 35 U.S.C. § 112 for failing to comply with the written description requirement. In particular, the Examiner was unable to find support for “the encoded instance document comprising the attributes and elements defined by the schema *for each of the plurality of context nodes*” and “wherein the encoded instance document is a *compressed representation of the instance document*” claim elements [emphasis in the original].

With respect to encoding attributes and elements for each of the plurality of context nodes in an instance document, Applicant respectfully submits the following description from the application as published:

A generation system 101 creates an instance document describing multimedia content 103 with reference to a content schema 105 that describes the structure of the description of multimedia content 103 in terms of descriptors and description schemes. [paragraph 22] One or more description schemes describing the multimedia content 103 are designated as "context nodes" within the content schema. The schema 105 may be a collection of separate context node schemas, each defining one of the context nodes in the multimedia content 103. . . The context node schema identifies the required and optional elements and attributes of the context node . . . that may be present in an instance document. [paragraph 23].

Thus, Applicant has described an instance document as being encoded with reference to a content schema that identifies the attributes and elements of the description schemes designated as context node, and that those attributes and elements are present in the instance document. Therefore, Applicant respectfully submits the written description clearly supports an instance document comprising attributes and elements for each context node described in the content schema as claimed.

With respect to the encoded instance document being a compressed representation of an instance document, Applicant respectfully submits the following description from the application as published:

Encoding the exemplary instance document according to the present invention reduces the amount of data transmitted from the generating system 101 to the presentation system 109 by approximately 85 percent. The original size of the instance document in uncompressed format is 398 bytes. Assuming the values of the instance document are codes as XML datatypes, the approximate size of the encoded instance document shown in Figure 2B without additional compression is 63 bytes. [paragraph 35]

Thus, Applicant has described that encoding an instance document reduces the amount of data, i.e., compresses the data. In addition, Applicant has even given examples of one instance document that was compressed from 398 bytes to 63 bytes after encoding. Therefore, Applicant respectfully submits the written description clearly supports an encoded instance document that is a compressed representation as claimed.

Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under § 112, first paragraph

Rejections under 35 U.S.C. § 103

Claims 1-5, 7-8, 10, 12-14, 16, 18-23, 25-26, 28, 30-32, 34, 36-41, 43-44, 46, 48-50, 52, 54-59, 61-62, 64, 66-68, 70, 72-77, 79-80, 82, 84-86, 88, 90-95, 97-98, 100, 102-104, 106 and 108

Claims 1-5, 7-8, 10, 12-14, 16, 18-23, 25-26, 28, 30-32, 34, 36-41, 43-44, 46, 48-50, 52, 54-59, 61-62, 64, 66-68, 70, 72-77, 79-80, 82, 84-86, 88, 90-95, 97-98, 100, 102-104, 106 and 108 stand rejected under 35 U.S.C. § 103(a) as being unpatentable Girardot, U.S. Patent 6,883,137 in view of Applicant's Admitted Prior Art, in view of Hind, U.S. Patent 6,904,562 and in further view of Dodrill, U.S. Patent 6,901,431, all previously cited.

As claimed by Applicant, a reset code is encoded in an instance document for each of the plurality of context nodes that are encoded in the instance document, except that a reset code for the last context node is not encoded in the instance document. Thus, if the number of context nodes in an instance document is N, there are N-1 reset codes encoded in the instance document. In addition, Applicant claims that the reset code specifies an address for a next context node. Thus, if there are N-1 reset codes encoded in the instance document, the instance document specifies N-1 context node addresses.

The Examiner is equating Applicant's claimed instance document with an context XML document as disclosed by Girardot and Dodrill. The Examiner is equating

Applicant's claimed reset code with the filename of an XML document that Dodrill discloses is input by user into an entry box. The Examiner states that "Dodrill teaches a user interface with an entry box wherein the user can enter an XML file name to be processed" [page 5, lines 10-11], and that the XML file name is equivalent to a reset code because "a user may obviously enter another filename specifying a next context node" [page 13, lines 2-3].

Dodrill describes an entry form (Figure 4) that aids a user in modifying an existing XML document. The user inputs the filename of the existing XML document in field 120 and optionally, a filename for the modified XML document in field 124. However, there is nothing in Dodrill that even suggests the filename of the existing XML document can be encoded into an instance document as a reset code to specify the next XML document to process. Furthermore, there is nothing in Dodrill that even suggests the filename of the modified XML document can be encoded into an instance document as a reset code to specify the next XML document to process. Thus, Applicant respectfully submits that the Examiner's asserted modification to Dodrill fails to read on Applicant's claimed reset code that is encoded in an instance document to specify an address to the next context node. In addition, none of the other cited references disclose Applicant's claimed reset code that is encoded in an instance document to specify an address to the next context node. Therefore, the combination cannot be properly interpreted teaching or suggesting all of the elements of Applicant's claims.

Moreover, although Dodrill discloses only the entry of filenames for the existing (current) and modified XML document, the Examiner is asserting that it would be obvious to modify Dodrill to allow input of a filename for a next XML document to be processed in the entry form (i.e., the next XML document after the current XML document is processed). Applicant respectfully reminds the Examiner that a mere statement that a modification is obvious is insufficient to support an obviousness rejection [MPEP 2143.01(IV)]. Instead, the proposed modification must be motivated by the prior art [MPEP 2143.01(1)], or by common knowledge ("Official Notice") [MPEP 2144.03(B)].

Applicant respectfully submits that there is nothing in Dodrill that would suggest the desirability of modifying Dodrill as asserted by the Examiner. In fact, there is nothing

in any of the cited references that suggests any advantage in making the modification asserted by the Examiner. Thus, the Examiner's asserted modification is not properly motivated by the prior art and cannot be relied upon in rejecting Applicant's claims.

Alternatively, if the Examiner is asserting Official Notice, the Examiner has not provided a clear and unmistakable technical line of reasoning as to why common knowledge motivates the modification. Indeed, the Examiner has provided no reasoning at all. Thus, the Examiner has failed to state a proper case for Official Notice. Accordingly, Applicant challenges the assertion of Official Notice, and respectfully requests the Examiner provide references or other documentary evidence as required under MPEP 2144.03(C) if she continues to assert the Official Notice.

Therefore, the combination cannot render obvious Applicant's invention as claimed in claims 1-5, 7-8, 10, 12-14, 16, 18-23, 25-26, 28, 30-32, 34, 36-41, 43-44, 46, 48-50, 52, 54-59, 61-62, 64, 66-68, 70, 72-77, 79-80, 82, 84-86, 88, 90-95, 97-98, 100, 102-104, 106 and 108, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination of Girardot, APA, Hind, and Dodrill.

Claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107

Claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107 stand rejected under 35 U.S.C. § 103(a) as being unpatentable Girardot, U.S. Patent 6,883,137 in view of Applicant's Admitted Prior Art, in view of Hind, U.S. Patent 6,904,562, in view of Dodrill, U.S. Patent 6,901,431 and further in view of Li, U.S. Patent 6,772,180, all previously cited.

Claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105, and 107 depend from one of independent claims 1, 19, 37, 55, 73, and 91. Because Girardot, APA, Hind, or Dodrill do not disclose an encoded instance document containing a reset code as claimed in the independent claims, Li must do so to have a proper *prima facie* case of obviousness for the dependent claims. However, Li does not teach or suggest an encoded instance document containing a reset code as claimed by Applicant.

Therefore, the combination cannot render obvious Applicant's invention as claimed in claims 6, 9, 11, 15, 17, 24, 27, 29, 33, 35, 42, 45, 47, 51, 53, 60, 63, 65, 69, 71, 78, 81, 83, 87, 89, 96, 99, 101, 105 and 107, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination of Girardot, APA, Hind, Dodrill and Li.

SUMMARY

Claims 1-108 are currently pending. In view of the foregoing remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x3476.

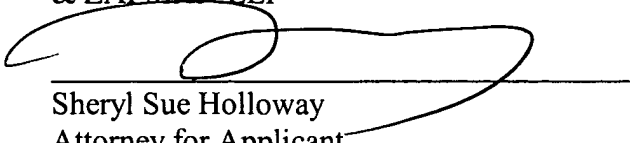
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
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